

In the Claims:

Please delete claims 23-32, 35-44 and 46 without prejudice.

Response

Claims 1-46 are pending in the application. By the aforementioned Office Action, the Patent Office has required restriction pursuant to 35 USC 121 as between three alleged distinct inventions as follows:


- I. Claims 1-22, 33-34 and 45 drawn to a high aspect ratio microcapsule
- II. Claims 23-32 and 42-44 drawn to methods of making and
- III. Claims 35-41 and 46 drawn to polymer compositions.

Specifically, it is alleged that the inventions of Groups I, II and III are related as process of making and product made. Additionally, Groups I and II are deemed related as mutually exclusive species in an intermediate-final product relationship.

In response to the restriction requirement, Applicants elect Group I, claims 1-22, 33-34 and 45 for examination, without traverse. In following, Applicants hereby cancel claims 23-32, 35-44 and 46 without prejudice. Applicants reserve their right to file divisional applications for the unelected inventions. The foregoing cancellation of claims does not alter inventorship in this application.

Should there be any questions, please contact the undersigned, Applicant's attorney.

Respectfully submitted,



Edward K. Welch II
Attorney for Applicant
Registration No. 30,899
AgION Technologies Inc.
60 Audubon Road
Wakefield, MA 01880
Tel.: 781-224-7165
Fax: 781-246-3314
e-mail: ewelch@agion-tech.com